UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JAN 29 2010

REPLY TO THE ATTENTION OF

E-19J

Mr. David Williams
Environmental Program Manager
Federal Highway Administration – MI Division
315 West Allegan Street, Room 201
Lansing, Michigan 48933

Re: Comments on the Final Environmental Impact Statement (FEIS) for the Detroit Intermodal Freight Terminal (DIFT), Wayne and Oakland Counties, Michigan, EIS No. 20090415

Dear Mr. Williams:

I am providing comments on the Final Environmental Impact Statement (FEIS) for the Detroit Intermodal Freight Terminal (DIFT), consistent with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

The DIFT Draft Environmental Impact Statement (DEIS) evaluated options for improving the freight handling efficiency and capacity of four Class I railroad companies [Norfolk Southern (NS), Canadian Pacific (CP), Canadian National (CN), and CSX] at four yards in Detroit: the Livernois-Junction Yard owned/operated by CSX and NS; CP/Expressway; CP/Oak; and, CN/Moterm. At the time of the DEIS, there was no preferred alternative.

The Federal Highway Administration (FHWA) and Michigan Department of Transportation (MDOT) have identified a preferred alternative in the FEIS: a modification of Alternative 4, which was evaluated in the DEIS. The preferred alternative will: 1) expand the CSX and NS intermodal rail operations at the Livernois-Junction Yard, 2) shift the NS Triple Crown operations from Melvindale and Willow Run in Romulus to Livernois-Junction, and 3) move the CP Oak intermodal operation to Livernois-Junction. Another component of the project is an external rail improvement program that will improve rail operations at about 15 locations, and road improvements that would facilitate access to the Livernois-Junction Yard. The preferred alternative will require acquisition of 169 acres of land and relocate 32 dwellings and 29 businesses in an environmental justice community.

At the time of the DEIS, EPA expressed environmental objections based on issues we identified on air quality and environmental justice. We identified measures that could be implemented in order to reduce particulate matter 2.5 microns or less (PM2.5) emissions in an environmental justice area that was already experiencing high levels of PM2.5. Based on the information in the FEIS, EPA retains concerns about the air quality analysis and the mitigation for this project. Although the project has benefits to the metropolitan region, it would concentrate

truck/locomotive/handling equipment and their emissions in the project area. We see this project as one with regional benefits, but also with the potential for aggravating localized emissions.

After reviewing the FEIS, we retain our comments on the need for localized PM2.5 analysis and the need for specific commitments on air quality mitigation measures. Our agencies continue to disagree about the merits and the methodology for evaluating PM2.5 and diesel particulate matter concentrations at a local level. Although quantitative hot spot analysis for PM2.5 and diesel particulate matter is not required, it can be done. EPA is concerned about the potential for localized impacts of PM2.5, especially from diesel equipment, trucks, and locomotives. We have advocated for quantifying emissions and local ambient concentrations of PM2.5, including a breakout of diesel PM, in order to identify possible local areas of concern, to inform the design and selection of alternatives, and to inform mitigation. We regret that FHWA did not implement EPA's recommendation.

The second aspect of EPA's DEIS air comments focused on mitigation measures both for construction activities and for operational activities within the terminal yard. We are pleased that a key mitigation step that FHWA adopted was the reconfiguration of traffic flow between the Livernois-Junction Yard and the freeway system. This will shift traffic away from residential areas. We also note FHWA and MDOT's willingness to develop an operational agreement with contractors to reduce air pollution during construction. Lastly, we also acknowledge MDOT's work with the Southeast Michigan Council of Governments, the Michigan Department of Environmental Quality, and the private sector to develop a PM2.5 emissions reduction action plan. However, none of the operational mitigation measures that EPA recommended in our DEIS comments were addressed as part of this project. We list those measures again below. We also list construction mitigation measures that should be considered as part of the operational agreement with contractors. We recommend that MDOT and FHWA do all that can be done to minimize PM2.5 emissions from the project, including construction activities. Specifically, we recommend that commitments to mitigation measures for construction activities and terminal operations be included in the record of decision for this project.

Terminal Operational Mitigation Measures

- Anti-idling measures and efficient management for the movement of trucks and locomotives to limit idling.
- Use of auxiliary power units for trains.
- Use of on-road fuels for trucks and equipment in the yards.
- Retrofit and control technology for trucks and equipment in the yards.
- Use of hybrid utility locomotive engines for rail yard movements.

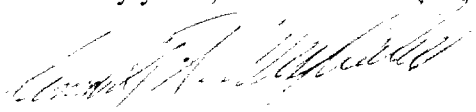
Construction Mitigation Measures

- Reduce emissions of diesel particulate matter (DPM) and other air pollutants by using particle traps and other technological or operational methods. Control technologies, such as traps, control approximately 80 percent of DPM. Specialized catalytic converters (oxidation catalysts) control approximately 20 percent of DPM, 40 percent of carbon monoxide emissions, and 50 percent of hydrocarbon emissions.
- Ensure that diesel-powered construction equipment is properly tuned and maintained, and shut off when not in direct use.
- Prohibit engine tampering to increase horsepower.
- Locate diesel engines, motors, and equipment as far as possible from residential areas and sensitive receptors (e.g., schools, daycare centers, and hospitals).
- Require ultra low sulfur diesel fuel (<15 parts per million), if available.
- Reduce construction-related trips of workers and equipment, including trucks.
- Lease or buy newer, cleaner equipment at the Tier 2 level or higher, using a minimum of 75 percent of the equipment's total horsepower.
- Use engine types such as electric, liquefied gas, hydrogen fuel cells, and/or alternative diesel formulations, if feasible.
- Construction equipment retrofitted with diesel oxidation catalysts or diesel particulate filters from the EPA or the California Air Research Board Verified List. Additionally, emissions will be further reduced by installing retrofit emission control devices on all non-road equipment with higher emissions than EPA's Tier 2 Standards. The following table indicates the model year for which these standards take effect. Equipment that is of a model year older than the year given for that equipment's respective horsepower range should be retrofitted.

Horsepower Range	Model Year (or newer)
50-99	2004
100-299	2003
300-599	2001
600-749	2002
750 and up	2006

Thank you for the opportunity to comment on this FEIS. If you have any questions, please contact me. The staff person assigned to this project is Sherry Kamke; she can be reached at (312) 353-5794 or via email at kamke.sherry@epa.gov

Sincerely yours,



Kenneth A. Westlake, Chief
NEPA Implementation Section
Office of Enforcement and Compliance Assurance